

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,)	
)	
)	Criminal No.04-599
v.)	Hon. Faith S. Hochberg, U.S.D.J.
)	
ROY DEPACK,)	ORDER
)	
Defendant.)	Date: September 15, 2008
)	

HOCHBERG, District Judge:

This matter having been raised by Defendant seeking default judgment against the Government for having failed to respond to his motion filed pursuant to Fed. R. Crim. P. 33(b); and it appearing that the Government filed its response to Defendant's motion on August 22, 2008; and for good cause having been shown,

IT IS on this 15th day of September, 2008,

ORDERED that Plaintiff's Motion for Default Judgment is DENIED.

/s/ Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.J.